

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

OPPENHEIM
KAPITALANLAGEGESELLSCHAFT mbH,
ET AL.,

Plaintiff(s),

CASE NO. 07 CIV 8830

-against-

VIVENDI UNIVERSAL, S.A., ET AL.,
Defendant(s).

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
s.s :
COUNTY OF NEW YORK)

X

JASON AGEE, being duly sworn, deposes and says that he is an employee of KEATING & WALKER ATTORNEY SERVICE, INC., is over the age of eighteen years and is not a party to the action.

That on the 25th day of October, 2007, at approximately 1:35 p.m., deponent served a true copy of the SUMMONS IN A CIVIL ACTION; CIVIL COVER SHEET and COMPLAINT upon Jean-Marie Messier c/o Messier Partners, LLC at One Rockefeller Plaza, New York, New York 10020 by personally delivering and leaving the same with Franca Efangon, Office Manager, who is a person of suitable age and discretion, at that address, the actual place of business of the defendant. At the time of service deponent asked whether the defendant is in active military service for the United States or for the State in any capacity whatsoever or dependent upon such person and received a negative reply.

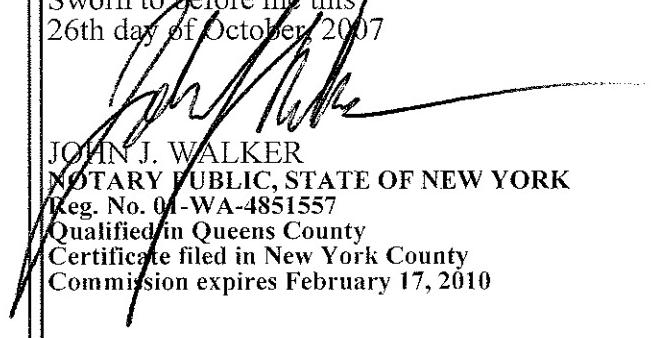
Franca Efangon is a black female, approximately 38 years of age, is approximately 5 feet and 5 inches tall, weighs approximately 120 pounds, with long black hair and dark eyes.

That on the 26th day of October, 2007 deponent served another copy of the foregoing upon the defendant by enclosing a true copy thereof in a securely sealed and postpaid wrapper with the words "PERSONAL and CONFIDENTIAL" written on the same, and not indicating on the outside that it is from an attorney or concerns a legal matter, and depositing the same into an official depository maintained by the Government of the United States, City and State of New York, addressed as follows:

**Jean-Marie Messier
c/o Messier Partners, LLC
One Rockefeller Plaza
New York, New York 10020**

Sworn to before me this
26th day of October, 2007


JASON AGEE #1196790


**JOHN J. WALKER
NOTARY PUBLIC, STATE OF NEW YORK
Reg. No. 01-WA-4851557
Qualified in Queens County
Certificate filed in New York County
Commission expires February 17, 2010**